<i>5/3/07</i>				
Notice	of Allowability			

Application No.	Applicant(s)		
10/670,453	DONOFRIO, WILLIAM T.		
Examiner	Art Unit		
Steven O. Douglas	3771		

- The MALLING DATE of this communication appears on the cover sheet with the correspondence address— All claims being allowable, PROSECUTION ON THE MERITS IS (OR TEMANIS) CLOSED in this application. If not included herewith for previously malled), a Notice of Allowance (PTOL-85) or other appearate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IN NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1398. 1. ☑ The allowed claim(s) is/are 1.22. 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received in Application No. ☐ 2. ☐ Certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: ☐ Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE MONTH SERIOD IS NOT EXTENDABLE. 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) with the activation is deficient. 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) ☐ Including changes required by the Notice of Drathsperson's Patent Drawing Review (PTO-948) attached the patent Application of Paper No./Mail Date ☐ Paper	Notice of Allowability	Examiner	Art Unit	
All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTC-185) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1-313 and MPEP 1308. 1. ☑ This communication is responsive to papers filed 2-21-07. 2. ☑ The allowed claim(s) is/are 1-22. 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All ☐ D☐ Some* (c) ☐ None of the: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a repty complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **HIST THREE-MONTH PERIOD Is NOT EXTENDABLE.** 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ hereto or 2) ☐ to Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.34(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be backed as such in the header according to 37 CFR 1.121(d). 6. ☐ Information Disclosure Statement		Steven O. Douglas	3771	
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Application/Control Number: 10/670,453

Art Unit: 3771

The following is an examiner's statement of reasons for allowance: none of the prior art of record, alone or in combination, teach Applicant's invention of a conscious sedation system comprising a controller which generates a request for *both* a baseline response and a predetermined response from a patient, as claimed..

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven O. Douglas whose telephone number is (571) 272-4885. The examiner can normally be reached on Mon-Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Justine Yu can be reached on (571) 272-4835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571/2-272

> Steven 6. Douglas **Primary Examiner**

Art Unit 3771

SD

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